IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 2304 of 2001

Between:

1. V.V.D.Prasada Rao, E.351269, Conductor,
   S/o. Someswara Rao, Aged about 37 years,
   R/o. Krishnalanka, Vijayawada.
2. E. Rambabu, E. 351263, Conductor,
   S/o. Satyanaraya, Aged about 36 years,
   R/o.Penamaluru, Krishna District.

..... PETITIONERS

AND

1. The APSRTC, Represented by its Regional Manager,
   Krishna Region, Vijayawada.
2. The APSRTC, Represented by its Depot Manager,
   Governorpet – I depot, Vijayawada, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents herein in not granting the selection grade scale to the petitioners herein w.e.f. 18-1-2000 and 1-2-2000 respectively as illegal, unjust, arbitrary and contrary to the circular instructions.

Counsel for the Petitioners: MR.S.M.SUBHAN

Counsel for the Respondents: MR.R.MANMADHA REDDY

SC for APSRTC

The Court made the following order:

It is the case of the petitioners that they were appointed as conductors with effect from 18-1-1988 and 1-2-1988 respectively and were posted at Avanigadda depot, Machilipatnam division and that they made a request to transfer them from Machilipatnam division to Krishna division. Upon considering their request, they were transferred to Krishna division and that both Machilipatnam division and Krishna division are in the Krishna region.

It is contended by the learned counsel for the respondents-APSRTC that as the petitioners were transferred from Machilipatnam division to Krishna division, they became junior most in the Krishna division and that unless they complete twelve years of service in the Krishna division, they are not entitled for the special grade increment. Such a contention advanced by the learned counsel for the respondents-APSRTC had already been rejected by this Court on the ground that as per the circular, if any particular employee works in the same category for more than twelve years, he is entitled for the special grade increment. If the service of the petitioners in both the divisions is taken into consideration, admittedly, they have completed more than twelve years and therefore, they are entitled for special grade increment.

The writ petition is accordingly allowed directing the respondents to grant special grade increment to the petitioners within six weeks from the date of receipt of a copy of this order as they have already completed twelve years of service in the same category. No costs.

1-09-2004

lvl

To

1. The APSRTC, Represented by its Regional Manager, Krishna Region, Vijayawada.
2. The APSRTC, Represented by its Depot Manager, Governorpet – I depot, Vijayawada, Krishna District.

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